

**CHAPTER NO. 1021**

**HOUSE BILL NO. 2783**

**By Representatives Chumney, Cooper, Bowers**

**Substituted for: Senate Bill No. 3057**

**By Senator Cohen**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 2, relative to residential HIV supportive living facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-201, is amended by inserting a new definition (23) and renumbering current definitions (23) through (29) to read as follows:

(23) "HIV Resident" means any individual who is in need of domiciliary care and who has been diagnosed and certified in writing by a licensed physician as being HIV (human immunodeficiency virus) positive.

SECTION 2. Tennessee Code Annotated, Section 68-11-201, is amended by adding a new definition (31), as renumbered in Section 1, to read as follows:

"Residential HIV Supportive Living Facility" means any institution, facility, place or building devoted exclusively to the provision of residential supportive living services to residents diagnosed with HIV (human immunodeficiency virus).

SECTION 3. Tennessee Code Annotated, Sections 68-11-201(30), as renumbered in Section 1, is amended by inserting the language "and/or HIV care" between the words "hospice" and "services" wherever it appears, and the language "and/or HIV resident" following the words "hospice patient" wherever it appears in the definition so that the amended definition reads as follows:

(30) "Residential hospice" means a licensed homelike residential facility designed, staffed and organized to provide hospice and/or HIV care services, except such services shall be provided at such residential facility rather than the patient's regular or temporary place of residence. A residential hospice shall not provide hospice and/or HIV care services to any person other than a hospice patient and/or HIV resident defined in subdivision (19). The board shall establish by rules and regulations residential hospice standards, which shall include provisions for building construction and fire and safety features, in addition to standards otherwise applicable to hospice and/or HIV care services provided by home care organizations.

SECTION 4. Tennessee Code Annotated, Sections 68-11-202, 204, 206, 209, 210, 213, 216, and 219 are amended by inserting the language, "residential HIV supportive living facility," immediately following the words "home for the aged," wherever they may appear.

SECTION 5. Tennessee Code Annotated, Section 68-11-216(a) is amended by inserting the language, "residential hospice," immediately following the words "nursing home."

SECTION 6. This act shall take effect upon becoming law, the public welfare requiring it.

**PASSED: April 29, 1998**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 18<sup>th</sup> day of May 1998**

  
DON SUNDQUIST, GOVERNOR